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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hawkins and Murry

Title: NOVEL TISSUE INHIBITOR OF METALLOPROTEINASES

Serial No.: 08/884,073

Filing Date: June 27, 1997

Examiner: Wang

Group Art Unit: 1809

Assistant Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

JUN 9 1998

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously submitted in parent application Serial No. 08/588,163, filed January 18, 1996, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

Docket No.: PF-0053-1 DIV

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Assistant Commissioner determines that a fee is necessary, the Assistant Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 09-0108. **A duplicate copy of this communication is enclosed.**

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE PHARMACEUTICALS, INC.

Date: December 17, 1997

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U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.		
				PF-0053-1 DIV		08/884,073		
LIST OF REFERENCES CITED BY APPLICANTS				Applicants				
(Use several sheets if necessary)				Hawkins and Murry				
				Filing Date		Group		
				June 27, 1997		1809		
U.S. Patent Documents								
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate		
Foreign Patent Documents								
							Translation	
	Document	Date	Country	Class	Subclass	Yes	No	
1	WO 96/18725	6/20/96	PCT					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
2	Apte, S.S. et al., "The Gene Structure of Tissue Inhibitor of Metalloproteinases (TIMP)-3 and Its Inhibitory Activities Define the Distinct TIMP Gene Family", <u>J. Biol. Chem.</u> , 270: 14313-14318 (1995)							
3	Boone, T.C. et al., "cDNA cloning and expression of a metalloproteinase inhibitor related to tissue inhibitor of metalloproteinases," <u>Proc. Natl. Acad. Sci. USA</u> , 87: 2800-2804 (1990)							
4	Docherty, A.J.P. et al., "Sequence of human tissue inhibitor of metalloproteinases and its identity to erythroid-potentiating activity", <u>Nature</u> , 318: 66-69 (1985)							
5	Freudenstein, J. et al., "mRNA of bovine tissue inhibitor of metalloproteinase: Sequence and expression in bovine ovarian tissue", <u>Biochem. Biophys. Res. Comm.</u> , 171: 250-256 (1990)							
6	Gewert, D.R. et al., "Characterization and expression of a murine gene homologous to human EPA/TIMP: a virus-induced gene in the mouse", <u>EMBO J.</u> , 6: 651-657 (1987)							
7	Horowitz, S. et al., "Hyperoxic Exposure Alters Gene Expression in the Lung," <u>J. Biol. Chem.</u> , 264: 7092-7095 (1989)							
8	Howard, E.W. et al., "Preferential Inhibition of 72- and 92-kDa Gelatinases by Tissue Inhibitor of Metalloproteinases-2," <u>J. Biol. Chem.</u> , 266: 13070-13075 (1991)							
9	Miyazaki, K. et al., "Purification and Characterization of a Two-chain Form of Tissue Inhibitor of Metalloproteinases (TIMP) Type 2 and a Low Molecular Weight TIMP-like Protein," <u>J. Biol. Chem.</u> , 268: 14387-14393 (1993)							
10	Pavloff, N. et al., "A New Inhibitor of Metalloproteinases from Chicken: ChIMP-3" <u>J. Biol. Chem.</u> , 267: 17321-17326 (1992)							
11	Stetler-Stevenson, W.G. et al., "Tissue Inhibitor of Metalloproteinases-2 (TIMP-2) mRNA Expression in Tumor Cell Lines and Human Tumor Tissues," <u>J. Biol. Chem.</u> , 265: 13933-13938 (1990)							
Examiner				Date Considered				
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>								

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

- 12 Wilde, C.G. et al., "Cloning and Characterization of Human Tissue Inhibitor of Metalloproteinases-3", DNA Cell Biol., 13: 711-718 (1994)
- 13 Wick, M. et al., "A Novel Member of Human Tissue Inhibitor of Metalloproteinases (TIMP) Gene Family is Regulated during G<sub>1</sub> Progression, Mitogenic Stimulation, Differentiation, and Senescence" J. Biol. Chem., 269: 18953-18960 (1994)

Examiner

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